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Filed : December 27, 2001

AMENDMENTS TO THE CLAIMS

1-24. (Canceled).

25. (Currently amended) ~~The~~ An isolated nucleic acid of ~~Claim~~ 22 having at least 95% nucleic acid sequence identity to:

- (a) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2;~~
- (b) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2, lacking its associated signal peptide;~~
- (a)(e) the nucleic acid sequence of SEQ ID NO:1;
- (b)(d) the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:1; or
- (c)(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203538;

wherein said isolated nucleic acid hybridizes to the complement of a nucleic acid of SEQ ID NO: 1 under conditions of 50% formamide, 5 x SSC (0.75 M NaCl, 0.075 M sodium citrate), 50 mM sodium phosphate (pH 6.8), 0.1% sodium pyrophosphate, 5 x Denhardt's solution, sonicated salmon sperm DNA (50 µg/ml), 0.1% SDS, and 10% dextran sulfate at 42°C, with washes at 42°C in 0.2 x SSC (sodium chloride/sodium citrate) and 50% formamide at 55°C, followed by a high-stringency wash consisting of 0.1 x SSC containing EDTA at 55°C.

~~wherein said isolated nucleic acid is overexpressed in lung or colon tumor, or wherein said isolated nucleic acid encodes a polypeptide that is overexpressed in lung or colon tumors.~~

26. (Currently amended) The isolated nucleic acid of Claim 25 ~~Claim~~ 22 having at least 99% nucleic acid sequence identity to:

- (a) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2;~~
- (b) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2, lacking its associated signal peptide;~~
- (a)(e) the nucleic acid sequence of SEQ ID NO:1;
- (b)(d) the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:1; or

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(c)(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203538;

wherein said isolated nucleic acid hybridizes to the complement of a nucleic acid of SEQ ID NO: 1 under conditions of 50% formamide, 5 x SSC (0.75 M NaCl, 0.075 M sodium citrate), 50 mM sodium phosphate (pH 6.8), 0.1% sodium pyrophosphate, 5 x Denhardt's solution, sonicated salmon sperm DNA (50 µg/ml), 0.1% SDS, and 10% dextran sulfate at 42°C, with washes at 42°C in 0.2 x SSC (sodium chloride/sodium citrate) and 50% formamide at 55°C, followed by a high-stringency wash consisting of 0.1 x SSC containing EDTA at 55°C.

~~wherein said isolated nucleic acid is overexpressed in lung or colon tumor, or wherein said isolated nucleic acid encodes a polypeptide that is overexpressed in lung or colon tumors.~~

27. (Currently amended) An isolated nucleic acid comprising:

(a) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2;~~
(b) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2, lacking its associated signal peptide;~~

(a)(e) the nucleic acid sequence of SEQ ID NO:1;
(b)(d) the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:1; or

(c)(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203538.

28-31. (Canceled).

32. (Previously presented) The isolated nucleic acid of Claim 27 comprising the nucleic acid sequence of SEQ ID NO:1.

33. (Previously presented) The isolated nucleic acid of Claim 27 comprising the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:1.

34. (Previously presented) The isolated nucleic acid of Claim 27 comprising the full-length coding sequence of the cDNA deposited under ATCC accession number 203538.

35. (Currently amended) An isolated nucleic acid that hybridizes under stringent conditions to:

(a) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2;~~

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(b) ~~a nucleic acid sequence encoding the polypeptide of SEQ ID NO:2, lacking its associated signal peptide;~~

(a)(e) the nucleic acid sequence of SEQ ID NO:1 or the complement thereof;

(b)(d) the full-length coding sequence of the nucleic acid sequence of SEQ ID NO:1 or the complement thereof; or

(c)(e) the full-length coding sequence of the cDNA deposited under ATCC accession number 203538 or the complement thereof;

wherein said hybridization occurs under conditions of 50% formamide, 5 x SSC (0.75 M NaCl, 0.075 M sodium citrate), 50 mM sodium phosphate (pH 6.8), 0.1% sodium pyrophosphate, 5 x Denhardt's solution, sonicated salmon sperm DNA (50 μ g/ml), 0.1% SDS, and 10% dextran sulfate at 42°C, with washes at 42°C in 0.2 x SSC (sodium chloride/sodium citrate) and 50% formamide at 55°C, followed by a high-stringency wash consisting of 0.1 x SSC containing EDTA at 55°C;

and wherein said isolated nucleic acid is at least about 200 nucleotides in length.

~~and wherein said isolated nucleic acid is overexpressed in lung or colon tumor, or wherein said isolated nucleic acid encodes a polypeptide that is overexpressed in lung or colon tumors.~~

36. (Canceled).

37. (Currently amended) The isolated nucleic acid of Claim 35 which is at least ~~10~~ about 250 nucleotides in length.

38. (Previously presented) A vector comprising the nucleic acid of Claim 25.Claim 22.

39. (Previously presented) The vector of Claim 38, wherein said nucleic acid is operably linked to control sequences recognized by a host cell transformed with the vector.

40. (Previously presented) A host cell comprising the vector of Claim 38.

41. (Previously presented) The host cell of Claim 40, wherein said cell is a CHO cell, an *E. coli* or a yeast cell.

42. (New) The isolated nucleic acid of Claim 35 which is at least about 300 nucleotides in length.

43. (New) The isolated nucleic acid of Claim 35 which is at least about 350 nucleotides in length.

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44. (New) The isolated nucleic acid of Claim 35 which is at least about 400 nucleotides in length.

45. (New) The isolated nucleic acid of Claim 35 which is at least about 450 nucleotides in length.

46. (New) The isolated nucleic acid of Claim 35 which is at least about 500 nucleotides in length.